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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/280,541	03/30/1999	JAE-ICK HO	P55657	5957

8439 7590 12/12/2003

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EXAMINER

NGUYEN, KEVIN M

ART UNIT	PAPER NUMBER
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2674

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DATE MAILED: 12/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/280,541

Applicant(s)

HO, JAE-ICK

Examiner

Kevin M. Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5,7-11 and 16-20 is/are allowed.
- 6) ☒ Claim(s) 1-4,6 and 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. The amendment filed on 9/15/2003 is entered. The rejections of claims 1-4, 6, 12-15 are maintained. Claims 5, 7-11 and 16-20 are allowed.
2. The drawings were received on 9/15/2003. These drawings are acknowledged.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 4, 12, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Berner (US 5,267,178).

As to claims 1 and 12, Berner teaches an apparatus associated with a method comprising an input device (bar code reader BCR), a monitor (6), a computer (CPU 2), a driving device (CPU 20), a predetermined electric signal (figure 2, column 4, lines 47-52); an interface section (SIF) indicating whether the display data channel of the monitor is inputted into the computer (2) and outputting a voltage signal reflective of an originally inputted voltage signal, the outputted voltage signal is switched at a different time according to a result of inputting the display data channel (column 4, lines 53-67); a controller (CPU 2) for controlling, analyzing, and determining whether or not the result of inputting the display data channel is correct (figures 2 and 3, column 5, lines 15-46).

As to claims 3 and 14, Berner teaches the inputting device including a scanner (figure 1).

As to claims 4 and 15, Berner teaches the controller for the controlling and determining including a programmable logic controller (EPROM, column 1, lines 52-56).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 6 and 13, are rejected under 35 U.S.C. 103(a) as being unpatentable over Berner in view of Keiji (previously cited).

As to claims 2 and 13, Berner teaches all of the claimed limitations of claims 1, 12, except for the inputting device includes a mouse. However, Keiji teaches a related input device including a mouse (figure 5, column 4, lines 22-29). It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the mouse taught by Keiji for Berner's input device because this would provide the operator with visual feedback to verify the mouse and thereby saving time and money on mistake scanning.

As to claim 6, Keiji teaches a switch (43) to select one of the mouse (48) and the scanner (49) (figure 5).

Allowable Subject Matter

7. Claims 5, 7-11 and 16-20 allowed.

8. The following is a statement of reasons for the indication of allowable subject matter:

Berner teaches the interface circuits (7, 70) (figure 2). Accordingly, the cited prior arts, alone or in combination, do not teach or fairly suggest the interfacing section comprising a Zener diode, a transistor, a relay, a light emitting diode, recited in claims 5 and 17.

Metlitsky et al (previously cited) teaches corrected scanning data with a high voltage data signal for a predetermined time after a first time, and an error scanning data with a false voltage data signal after a second time (figure 3, column 4, line 54 through column 5, line 11). Accordingly, the cited prior arts, alone or in combination, do not teach or fairly suggest the controller determines that the display data channel is normally inputted into the computer if the interfacing section outputs the same signal as the initial signal at a first time, and after the interfacing section continuous to output the high frequency signal for a predetermined times after the first time, the controller determines that the display data channel is abnormally inputted into the computer if the interfacing section outputs the same signal as the initial signal at a second time, recited in claims 7 and 19.

Kelly (previously cited) teaches the driving device includes a relay switch (70, 72) connecting in parallel. Accordingly, the cited prior arts, alone or in combination, do not teach or fairly suggest the driving device includes a relay coil magnetized connecting in parallel, recited in claims 10 and 16.

Response to Arguments

9. Applicant's arguments with respect to claims 1-4, 6, 12-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on MON-THU from 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Art Unit: 2674

or faxed to:


(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen
Patent Examiner
Art Unit 2674

KN
December 10, 2003



RICHARD WIERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600